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In re Application of
CUTLER et al.
Application No.: 09/937,762
PCT No.: PCT/GB00/01062
Int. Filing Date: 21 March 2000
Priority Date: 01 April 1999
Attorney Docket No.: 109846.998
For: AGROCHEMICAL COMPOSITION

DECISION ON PETITION
UNDER 37 CFR 1.182

This decision is in response to applicants' "Petition under 37 CFR 1.182 in Response to Notice of Defective Response" filed 10 May 2002. The petition was accompanied by a declaration signed by Julia Lynne Ramsey using both her former name and present name. The petition fee of \$130 has been charged to counsel's Deposit Account No. 08-0219.

BACKGROUND

On 01 October 2001, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia: the basic national fee and a copy of the international application.

On 08 November 2001, the United States/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating an oath or declaration and the surcharge for filing the oath or declaration later than 30 months from the priority date as required by 37 CFR 1.492(e) must be furnished.

On 29 January 2002, applicants submitted an executed declaration and the surcharge under 37 CFR 1.492(e). In a communication dated 27 March 2002, the PCT Legal Office indicated that the declaration filed 29 January 2002 was not in compliance with 37 CFR 1.497.

On 10 May 2002, applicants filed the present petition accompanied by a declaration by Julia Lynne Ramsey stating that "on 22 July 2000, I changed my name from Julia Lynne Culter to Julia Lynne Ramsey."

DISCUSSION

The Manual of Patent Examining Procedure at § 605.04(c) requires in instances where an inventor has changed his or her name after the application has been filed to submit a petition under 37 CFR 1.182. The petition must include the appropriate petition fee and an affidavit signed with both names setting forth the procedure whereby the change of name was effected, or certified copy of the court order. As noted above, the \$130 petition fee has been charged to counsel's Deposit Account No.08-0219, and thus item (1) has been satisfied.

The papers have been reviewed and the papers are accepted.


The declaration submitted on 29 January 2002 executed by Julia Lynne Ramsey; Antony George Seville; and Michael John Bean is accepted.

CONCLUSION

The petition under 37 CFR 1.182 to change the inventor's name from Julia Lynne Cutler to Julia Lynne Ramsey is **GRANTED**.

The application has an international filing date of 21 March 2000 under 35 U.S.C. 363 and a date of **29 January 2002** under 35 U.S.C. 371(c).

This application is being forwarded to the National Stage Processing Branch of the International Division for continued national stage processing.



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